

[First Reprint]

**SENATE, No. 1510**

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**STATE OF NEW JERSEY**  
**211th LEGISLATURE**

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INTRODUCED APRIL 29, 2004

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**SYNOPSIS**

Regulates operation of motorized scooters and motorcycles.

**CURRENT VERSION OF TEXT**

As reported by the Senate Transportation Committee on October 4, 2004, with amendments.

(Sponsorship Updated As Of: 6/24/2005)

1 AN ACT concerning certain motorized vehicles, amending R.S.39:1-1  
2 and supplementing Title 39 of the Revised Statutes.

3  
4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6  
7 1. R.S.39:1-1 is amended to read as follows:

8 39:1-1. As used in this subtitle, unless other meaning is clearly  
9 apparent from the language or context, or unless inconsistent with the  
10 manifest intention of the Legislature:

11 "Alley" means a public highway wherein the roadway does not  
12 exceed 12 feet in width.

13 "Authorized emergency vehicles" means vehicles of the fire  
14 department, police vehicles and such ambulances and other vehicles as  
15 are approved by the Director of the Division of Motor Vehicles in the  
16 Department of Transportation when operated in response to an  
17 emergency call.

18 "Automobile" includes all motor vehicles except motorcycles.

19 "Berm" means that portion of the highway exclusive of roadway  
20 and shoulder, bordering the shoulder but not to be used for vehicular  
21 travel.

22 "Business district" means that portion of a highway and the territory  
23 contiguous thereto, where within any 600 feet along such highway  
24 there are buildings in use for business or industrial purposes, including  
25 but not limited to hotels, banks, office buildings, railroad stations, and  
26 public buildings which occupy at least 300 feet of frontage on one side  
27 or 300 feet collectively on both sides of the roadway.

28 "Car pool" means two or more persons commuting on a daily basis  
29 to and from work by means of a vehicle with a seating capacity of nine  
30 passengers or less.

31 "Chief Administrator" or "Administrator" means the chief  
32 administrator of the New Jersey Motor Vehicle Commission.

33 "Commercial motor vehicle" includes every type of motor-driven  
34 vehicle used for commercial purposes on the highways, such as the  
35 transportation of goods, wares and merchandise, excepting such  
36 vehicles as are run only upon rails or tracks and vehicles of the  
37 passenger car type used for touring purposes or the carrying of farm  
38 products and milk, as the case may be.

39 "Commission" means the New Jersey Motor Vehicle Commission  
40 established by section 4 of P.L.2003, c.13 (C.39:2A-4).

41 "Commissioner" means the Commissioner of Transportation of this  
42 State.

43 "Commuter van" means a motor vehicle having a seating capacity

**EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.**

**Matter underlined thus is new matter.**

**Matter enclosed in superscript numerals has been adopted as follows:**

**<sup>1</sup> Senate STR committee amendments adopted October 4, 2004.**

1 of not less than seven nor more than 15 adult passengers, in which  
2 seven or more persons commute on a daily basis to and from work and  
3 which vehicle may also be operated by the driver or other designated  
4 persons for their personal use.

5 "Crosswalk" means that part of a highway at an intersection  
6 included within the connections of the lateral lines of the sidewalks on  
7 opposite sides of the highway measured from the curbs or, in the  
8 absence of curbs, from the edges of the shoulder, or, if none, from the  
9 edges of the roadway; also, any portion of a highway at an intersection  
10 or elsewhere distinctly indicated for pedestrian crossing by lines or  
11 other marking on the surface.

12 "Dealer" includes every person actively engaged in the business of  
13 buying, selling or exchanging motor vehicles or motorcycles and who  
14 has an established place of business.

15 "Deputy Chief Administrator" means the deputy chief administrator  
16 of the commission.

17 "Deputy director" means deputy director of the Division of Motor  
18 Vehicles in the Department of Transportation.

19 "Director" means the Director of the Division of Motor Vehicles in  
20 the Department of Transportation.

21 "Division" means the Division of Motor Vehicles in the Department  
22 of Transportation acting directly or through its duly authorized  
23 officers or agents.

24 "Driver" means the rider or driver of a horse, bicycle or motorcycle  
25 or the driver or operator of a motor vehicle, unless otherwise  
26 specified.

27 "Explosives" means any chemical compound or mechanical mixture  
28 that is commonly used or intended for the purpose of producing an  
29 explosion and which contains any oxidizing and combustive units or  
30 other ingredients in such proportions, quantities or packing that an  
31 ignition by fire, friction, by concussion, by percussion, or by detonator  
32 of any part of the compound or mixture may cause such a sudden  
33 generation of highly heated gases that the resultant gaseous pressures  
34 are capable of producing destructive effects on contiguous objects or  
35 of destroying life or limb.

36 "Farm tractor" means every motor vehicle designed and used  
37 primarily as a farm implement for drawing plows, mowing machines,  
38 and other implements of husbandry.

39 "Flammable liquid" means any liquid having a flash point below 200  
40 degrees Fahrenheit, and a vapor pressure not exceeding 40 pounds.

41 "Gross weight" means the combined weight of a vehicle and a load  
42 thereon.

43 "High occupancy vehicle" or "HOV" means a vehicle which is used  
44 to transport two or more persons and shall include public  
45 transportation, car pool, van pool, and other vehicles as determined by  
46 regulation of the Department of Transportation.

1 "Highway" means the entire width between the boundary lines of  
2 every way publicly maintained when any part thereof is open to the use  
3 of the public for purposes of vehicular travel.

4 "Horse" includes mules and all other domestic animals used as  
5 draught animals or beasts of burden.

6 "Inside lane" means the lane nearest the center line of the roadway.

7 "Intersection" means the area embraced within the prolongation of  
8 the lateral curb lines or, if none, the lateral boundary lines of two or  
9 more highways which join one another at an angle, whether or not one  
10 such highway crosses another.

11 "Laned roadway" means a roadway which is divided into two or  
12 more clearly marked lanes for vehicular traffic.

13 "Leased limousine" means any limousine subject to regulation in the  
14 State which:

15 a. Is offered for rental or lease, without a driver, to be operated by  
16 a limousine service as the lessee, for the purpose of carrying  
17 passengers for hire; and

18 b. Is leased or rented for a period of one year or more following  
19 registration.

20 "Leased motor vehicle" means any motor vehicle subject to  
21 registration in this State which:

22 a. Is offered for rental or lease, without a driver, to be operated by  
23 the lessee, his agent or servant, for purposes other than the  
24 transportation of passengers for hire; and

25 b. Is leased or rented for a period of one year or more following  
26 registration.

27 "Limited-access highway" means every highway, street, or roadway  
28 in respect to which owners or occupants of abutting lands and other  
29 persons have no legal right of access to or from the same except at  
30 such points only and in such manner as may be determined by the  
31 public authority having jurisdiction over such highway, street, or  
32 roadway; and includes any highway designated as a "freeway" or  
33 "parkway" by authority of law.

34 "Local authorities" means every county, municipal and other local  
35 board or body having authority to adopt local police regulations under  
36 the Constitution and laws of this State, including every county  
37 governing body with relation to county roads.

38 "Magistrate" means any municipal court and the Superior Court,  
39 and any officer having the powers of a committing magistrate and the  
40 <sup>1</sup>[Director of the Division of Motor Vehicles in the Department of  
41 Transportation] chief administrator<sup>1</sup>.

42 "Manufacturer" means a person engaged in the business of  
43 manufacturing or assembling motor vehicles, who will, under normal  
44 business conditions during the year, manufacture or assemble at least  
45 10 new motor vehicles.

46 "Metal tire" means every tire the surface of which in contact with

1 the highway is wholly or partly of metal or other hard nonresilient  
2 material.

3 "Motorized bicycle" means a pedal bicycle having a helper motor  
4 characterized in that either the maximum piston displacement is less  
5 than 50 cc. or said motor is rated at no more than 1.5 brake  
6 horsepower or is powered by an electric drive motor and said bicycle  
7 is capable of a maximum speed of no more than 25 miles per hour on  
8 a flat surface.

9 "Motorcycle" includes motorcycles, motor bikes, bicycles with  
10 motor attached and all motor-operated vehicles of the bicycle or  
11 tricycle type <sup>1</sup>[which meet all applicable federal standards for highway  
12 usage]<sup>1</sup>, except motorized bicycles as defined in this section, whether  
13 the motive power be a part thereof or attached thereto and having a  
14 saddle or seat with driver sitting astride or upon it or a platform on  
15 which the driver stands.

16 "Motor-drawn vehicle" includes trailers, semitrailers, or any other  
17 type of vehicle drawn by a motor-driven vehicle.

18 "Motor vehicle" includes all vehicles propelled otherwise than by  
19 muscular power, excepting such vehicles as run only upon rails or  
20 tracks and motorized bicycles.

21 "Motorized scooter" means a <sup>1</sup>[scooter that is powered by a motor  
22 having a maximum piston displacement of less than 50 cc. or an  
23 electric drive motor, is capable of a maximum speed of no more than  
24 25 miles per hour on a flat surface and is not registered with the  
25 director for use on the public highways of this State as a motorcycle;  
26 provided, however, for the purposes of sections 2 through 4, inclusive,  
27 of P.L. , c. (C. ) (now pending before the Legislature as this bill),  
28 "motorized scooter" shall not be construed to include a motorized  
29 wheelchair] miniature motor vehicle and includes, but is not limited to,  
30 pocket bikes, super pocket bikes, scooters, mini-scooters, sport  
31 scooters, mini choppers, mini motorcycles, motorized skateboards and  
32 other vehicles with motors not manufactured in compliance with  
33 Federal Motor Vehicle Safety Standards and which have no permanent  
34 Federal Safety Certification stickers affixed to the vehicle by the  
35 original manufacturer. This term shall not include: electric personal  
36 assistive mobility devices, motorized bicycles or low-speed vehicles;  
37 or motorized wheelchairs, mobility scooters or similar mobility  
38 assisting devices used by persons with physical disabilities, or persons  
39 whose ambulatory mobility has been impaired by age or illness<sup>1</sup>.

40 "Motorized skateboard" means a skateboard that is propelled  
41 otherwise than by muscular power.

42 "Motorized wheelchair" means any motor-driven wheelchair utilized  
43 to increase the independent mobility, in the activities of daily living, of  
44 an individual who has limited or no ambulation abilities, and includes  
45 <sup>1</sup>[motorized] mobility<sup>1</sup> scooters manufactured specifically for such  
46 purposes and designed primarily for indoor use.

1 "Noncommercial truck" means every motor vehicle designed  
2 primarily for transportation of property, and which is not a  
3 "commercial vehicle."

4 "Official traffic control devices" means all signs, signals, markings,  
5 and devices not inconsistent with this subtitle placed or erected by  
6 authority of a public body or official having jurisdiction for the  
7 purpose of regulating, warning, or guiding traffic.

8 "Omnibus" includes all motor vehicles used for the transportation  
9 of passengers for hire, except commuter vans and vehicles used in  
10 ridesharing arrangements and school buses, if the same are not  
11 otherwise used in the transportation of passengers for hire.

12 "Operator" means a person who is in actual physical control of a  
13 vehicle or street car.

14 "Outside lane" means the lane nearest the curb or outer edge of the  
15 roadway.

16 "Owner" means a person who holds the legal title of a vehicle, or  
17 if a vehicle is the subject of an agreement for the conditional sale or  
18 lease thereof with the right of purchase upon performance of the  
19 conditions stated in the agreement and with an immediate right of  
20 possession vested in the conditional vendee or lessee, or if a  
21 mortgagor of a vehicle is entitled to possession, then the conditional  
22 vendee, lessee or mortgagor shall be deemed the owner for the  
23 purpose of this subtitle.

24 "Parking" means the standing or waiting on a street, road or  
25 highway of a vehicle not actually engaged in receiving or discharging  
26 passengers or merchandise, unless in obedience to traffic regulations  
27 or traffic signs or signals.

28 "Passenger automobile" means all automobiles used and designed  
29 for the transportation of passengers, other than omnibuses and school  
30 buses.

31 "Pedestrian" means a person afoot.

32 "Person" includes natural persons, firms, copartnerships,  
33 associations, and corporations.

34 "Pneumatic tire" means every tire in which compressed air is  
35 designed to support the load.

36 "Pole trailer" means every vehicle without motive power designed  
37 to be drawn by another vehicle and attached to the towing vehicle by  
38 means of a reach, or pole, or by being boomed or otherwise secured  
39 to the towing vehicle, and ordinarily used for transporting long or  
40 irregularly shaped loads, such as poles, pipes, or structural members  
41 capable, generally, of sustaining themselves as beams between the  
42 supporting connections.

43 "Private road or driveway" means every road or driveway not open  
44 to the use of the public for purposes of vehicular travel.

45 "Railroad train" means a steam engine, electric or other motor, with  
46 or without cars coupled thereto, operated upon rails, except street

1 cars.

2 "Recreation vehicle" means a self-propelled or towed vehicle  
3 equipped to serve as temporary living quarters for recreational,  
4 camping or travel purposes and used solely as a family or personal  
5 conveyance.

6 "Residence district" means that portion of a highway and the  
7 territory contiguous thereto, not comprising a business district, where  
8 within any 600 feet along such highway there are buildings in use for  
9 business or residential purposes which occupy 300 feet or more of  
10 frontage on at least one side of the highway.

11 "Ridesharing" means the transportation of persons in a motor  
12 vehicle, with a maximum carrying capacity of not more than 15  
13 passengers, including the driver, where such transportation is  
14 incidental to the purpose of the driver. The term shall include such  
15 ridesharing arrangements known as car pools and van pools.

16 "Right-of-way" means the privilege of the immediate use of the  
17 highway.

18 "Road tractor" means every motor vehicle designed and used for  
19 drawing other vehicles and not so constructed as to carry any load  
20 thereon either independently or any part of the weight of a vehicle or  
21 load so drawn.

22 "Roadway" means that portion of a highway improved, designed,  
23 or ordinarily used for vehicular travel, exclusive of the berm or  
24 shoulder. In the event a highway includes two or more separate  
25 roadways, the term "roadway" as used herein shall refer to any such  
26 roadway separately, but not to all such roadways, collectively.

27 "Safety zone" means the area or space officially set aside within a  
28 highway for the exclusive use of pedestrians, which is so plainly  
29 marked or indicated by proper signs as to be plainly visible at all times  
30 while set apart as a safety zone.

31 "School bus" means every motor vehicle operated by, or under  
32 contract with, a public or governmental agency, or religious or other  
33 charitable organization or corporation, or privately operated for  
34 compensation for the transportation of children to or from school for  
35 secular or religious education, which complies with the regulations of  
36 the Department of Education affecting school buses, including "School  
37 Vehicle Type I" and "School Vehicle Type II" as defined below:

38 "School Vehicle Type I" means any vehicle with a seating capacity  
39 of 17 or more, used to transport enrolled children, and adults only  
40 when serving as chaperones, to or from a school, school connected  
41 activity, day camp, summer day camp, nursery school, child care  
42 center, preschool center or other similar places of education. Such  
43 vehicle shall comply with the regulations of the Division of Motor  
44 Vehicles and either the Department of Education or the Department  
45 of Human Services, whichever is the appropriate supervising agency.

46 "School Vehicle Type II" means any vehicle with a seating capacity

1 of 16 or less, used to transport enrolled children, and adults only when  
2 serving as chaperones, to or from a school, school connected activity,  
3 day camp, summer day camp, nursery school, child care center,  
4 preschool center or other similar places of education. Such vehicle  
5 shall comply with the regulations of the Division of Motor Vehicles  
6 and either the Department of Education or the Department of Human  
7 Services, whichever is the appropriate supervising agency.

8 "School zone" means that portion of a highway which is either  
9 contiguous to territory occupied by a school building or is where  
10 school crossings are established in the vicinity of a school, upon which  
11 are maintained appropriate "school signs" in accordance with  
12 specifications adopted by the director and in accordance with law.

13 "School crossing" means that portion of a highway where school  
14 children are required to cross the highway in the vicinity of a school.

15 "Semitrailer" means every vehicle with or without motive power,  
16 other than a pole trailer, designed for carrying persons or property and  
17 for being drawn by a motor vehicle and so constructed that some part  
18 of its weight and that of its load rests upon or is carried by another  
19 vehicle.

20 "Shipper" means any person who shall deliver, or cause to be  
21 delivered, any commodity, produce or article for transportation as the  
22 contents or load of a commercial motor vehicle. In the case of a  
23 sealed ocean container, "shipper" shall not be construed to include any  
24 person whose activities with respect to the shipment are limited to the  
25 solicitation or negotiation of the sale, resale, or exchange of the  
26 commodity, produce or article within that container.

27 "Shoulder" means that portion of the highway, exclusive of and  
28 bordering the roadway, designed for emergency use but not ordinarily  
29 to be used for vehicular travel.

30 "Sidewalk" means that portion of a highway intended for the use of  
31 pedestrians, between the curb line or the lateral line of a shoulder, or  
32 if none, the lateral line of the roadway and the adjacent right-of-way  
33 line.

34 "Sign." See "Official traffic control devices."

35 "Slow-moving vehicle" means a vehicle run at a speed less than the  
36 maximum speed then and there permissible.

37 "Solid tire" means every tire of rubber or other resilient material  
38 which does not depend upon compressed air for the support of the  
39 load.

40 "Street" means the same as highway.

41 "Street car" means a car other than a railroad train, for transporting  
42 persons or property and operated upon rails principally within a  
43 municipality.

44 "Stop," when required, means complete cessation from movement.

45 "Stopping or standing," when prohibited, means any cessation of  
46 movement of a vehicle, whether occupied or not, except when

1 necessary to avoid conflict with other traffic or in compliance with the  
2 directions of a police officer or traffic control sign or signal.

3 "Suburban business or residential district" means that portion of  
4 highway and the territory contiguous thereto, where within any 1,320  
5 feet along that highway there is land in use for business or residential  
6 purposes and that land occupies more than 660 feet of frontage on one  
7 side or collectively more than 660 feet of frontage on both sides of  
8 that roadway.

9 "Through highway" means every highway or portion thereof at the  
10 entrances to which vehicular traffic from intersecting highways is  
11 required by law to stop before entering or crossing the same and when  
12 stop signs are erected as provided in this chapter.

13 "Trackless trolley" means every motor vehicle which is propelled by  
14 electric power obtained from overhead trolley wires but not operated  
15 upon rails.

16 "Traffic" means pedestrians, ridden or herded animals, vehicles,  
17 street cars, and other conveyances either singly, or together, while  
18 using any highway for purposes of travel.

19 "Traffic control signal" means a device, whether manually,  
20 electrically, mechanically, or otherwise controlled, by which traffic is  
21 alternately directed to stop and to proceed.

22 "Trailer" means every vehicle with or without motive power, other  
23 than a pole trailer, designed for carrying persons or property and for  
24 being drawn by a motor vehicle and so constructed that no part of its  
25 weight rests upon the towing vehicle.

26 "Truck" means every motor vehicle designed, used, or maintained  
27 primarily for the transportation of property.

28 "Truck tractor" means every motor vehicle designed and used  
29 primarily for drawing other vehicles and not so constructed as to carry  
30 a load other than a part of the weight of the vehicle and load so drawn.

31 "Van pooling" means seven or more persons commuting on a daily  
32 basis to and from work by means of a vehicle with a seating  
33 arrangement designed to carry seven to 15 adult passengers.

34 "Vehicle" means every device in, upon or by which a person or  
35 property is or may be transported upon a highway, excepting devices  
36 moved by human power or used exclusively upon stationary rails or  
37 tracks or motorized bicycles.

38 (cf: P.L.2003, c.13, s.36)

39

40 2. (New section) a. No person shall operate a motorized scooter  
41 <sup>1</sup>[or motorized skateboard]<sup>1</sup> upon any public street, highway or  
42 sidewalk.

43 b. Except as otherwise provided in section 4 of P.L. , c.  
44 (C. )(now pending before the Legislature as this bill), no person  
45 shall operate a motorized scooter <sup>1</sup>[or motorized skateboard]<sup>1</sup> upon  
46 any public property or lands.

1 c. No person shall operate a motorized scooter <sup>1</sup>[or a motorized  
2 skateboard]<sup>1</sup> on the property of another without the consent of the  
3 owner of that property or the person who has a contractual right to the  
4 use of that property.

5  
6 <sup>1</sup>[3. (New section) Any person violating the provisions of section  
7 2 of this act shall be fined not more than \$250. In addition, the  
8 operator shall be subject to any other applicable penalties set forth in  
9 chapter 4 of Title 39 of the Revised Statutes. Further, the court may  
10 find that the violator has forfeited his right to operate a motor vehicle  
11 over the highways of this State or, in the case of a violator who does  
12 not have a driver's license, shall prohibit him from obtaining a license  
13 to operate a motor vehicle in this State for a period of not less than 30  
14 or more than 90 days beginning on the day of conviction or the date  
15 he becomes eligible to obtain a license, whichever is later. The court  
16 before whom any person is convicted of or adjudicated delinquent for  
17 a violation of any offense defined in P.L. , c. (C. ) (now  
18 pending before the Legislature as this bill) shall cause a report of the  
19 conviction or adjudication of delinquency to be filed with the director.  
20 That report shall include the New Jersey driver's license number, if  
21 available, the complete name, address, date of birth, eye color and sex  
22 of the person and shall indicate the first and last day of the suspension  
23 or postponement period imposed by the court pursuant to this  
24 section.]<sup>1</sup>

25  
26 <sup>1</sup>3. (New Section) A person violating the provisions of section 2  
27 of this act shall be subject:

28 a. For the first offense, to a fine of not less than \$100 nor more  
29 than \$200, and seizure of the motorized scooter. The seized scooter  
30 may only be retrieved from the police by the operator of the scooter  
31 or if the operator is under 18 years of age by the operator  
32 accompanied by the operator's parent or guardian.

33 b. For the second offense, to a fine of not less than \$200 nor more  
34 than \$500, and seizure of the motorized scooter. The seized scooter  
35 may only be retrieved from the police by the operator of the scooter  
36 or if the operator is under 18 years of age by the operator  
37 accompanied by the operator's parent or guardian, provided that the  
38 court adjudicating the matter approves the return of the scooter. In  
39 addition to the fine and seizure provided for in this subsection, the  
40 court shall order the violator to perform community service for a  
41 period of not greater than 25 hours.

42 c. For the third or subsequent offense, to a fine of not less than  
43 \$500 nor more than \$750, and seizure and forfeiture of the motorized  
44 scooter. In addition to the fine, and seizure and forfeiture provided in  
45 this subsection, the court shall order the violator to perform  
46 community service for a period of not greater than 50 hours.<sup>1</sup>

1  
2 4. (New section) The governing body of any municipality may, by  
3 ordinance, permit the operation of motorized scooters <sup>1</sup>[and  
4 motorized skateboards]<sup>1</sup> upon designated municipal property, other  
5 than the streets, highways and sidewalks under municipal jurisdiction.  
6 <sup>1</sup>The governing body of any county may, by resolution, permit the  
7 operator of motorized scooters upon designated county property,  
8 other than the streets, highways and sidewalks under county  
9 jurisdiction.<sup>1</sup>

10 Such an ordinance <sup>1</sup>or resolution <sup>1</sup>permitting the operation of  
11 motorized scooters <sup>1</sup>[and motorized skateboards]<sup>1</sup> upon designated  
12 municipal <sup>1</sup>or county<sup>1</sup> property shall include, but not be limited to, the  
13 following provisions:

14 a. A designation of the municipal <sup>1</sup>or county<sup>1</sup> property upon which  
15 motorized scooters <sup>1</sup>[and motorized skateboards]<sup>1</sup> may be operated;

16 b. The days and hours of the day during which motorized scooters  
17 <sup>1</sup>[and motorized skateboards]<sup>1</sup> may be operated upon that municipal  
18 <sup>1</sup>or county<sup>1</sup> property;

19 c. A requirement that each motorized scooter <sup>1</sup>[and motorized  
20 skateboard]<sup>1</sup> operated upon the designated municipal <sup>1</sup>or county<sup>1</sup>  
21 property be registered with the municipality <sup>1</sup>or county and receive a  
22 certificate of registration from the municipality or county<sup>1</sup>. As a  
23 condition for such registration, the owner or operator shall produce  
24 or display appropriate proof that a policy of liability insurance is in  
25 effect for that motorized scooter <sup>1</sup>[or motorized skateboard]<sup>1</sup>. The  
26 municipality <sup>1</sup>or county<sup>1</sup> may impose a reasonable fee to cover the  
27 costs of registration;

28 d. A requirement that no person under the age of 12 years <sup>1</sup>or  
29 older if so determined by the municipality or county<sup>1</sup> be permitted to  
30 operate a motorized scooter <sup>1</sup>[or motorized skateboard]<sup>1</sup> upon the  
31 designated municipal <sup>1</sup>or county<sup>1</sup> property;

32 e. A requirement that every operator of a motorized scooter <sup>1</sup>[or  
33 motorized skateboard]<sup>1</sup> wear a properly fitted and fastened helmet  
34 which meets the standards of the American National Standards  
35 Institute (ANSI Z90.4 bicycle helmet), the Snell Memorial  
36 Foundation's 1990 Standard for Protective Headgear for Use in  
37 Bicycling, the American Society for Testing and Materials (ASTM)  
38 standard or such other standard, as appropriate;

39 f. A requirement that each motorized scooter <sup>1</sup>[and motorized  
40 skateboard]<sup>1</sup> operated upon the designated municipal <sup>1</sup>or county<sup>1</sup>  
41 property be equipped with a brake that will enable the operator to stop  
42 the scooter <sup>1</sup>[or skateboard]<sup>1</sup> in a safe and effective manner;

43 g. A requirement that prior to operating a motorized scooter <sup>1</sup>[or  
44 motorized skateboard]<sup>1</sup> upon the designated municipal <sup>1</sup>or county<sup>1</sup>  
45 property, the prospective operator demonstrate, in a manner

1 prescribed by a designated local authority, a capability to safely  
2 operate the scooter <sup>1</sup>[or skateboard]<sup>1</sup>; and

3 h. A schedule setting forth the penalties for violating the provisions  
4 of the ordinance. The schedule shall be prominently posted upon the  
5 designated municipal <sup>1</sup>or county<sup>1</sup> property, along with a warning that  
6 operators may also be subject to applicable provisions and penalties set  
7 forth in chapter 4 of Title 39 of the Revised Statutes.

8  
9 <sup>1</sup>5. (New Section) No motorcycle shall be operated on the public  
10 highways or roadways of this State unless the motorcycle was  
11 manufactured in compliance with applicable Federal Motor Safety  
12 Standards that were in effect on the day the motorcycle was  
13 manufactured and the motorcycle has a certification label, in the  
14 format prescribed by the National Highway Traffic Safety  
15 Administration, attesting to that compliance, permanently affixed by  
16 the original manufacturer.<sup>1</sup>

17  
18 <sup>1</sup>[5.] 6.<sup>1</sup> This act shall take effect immediately.